

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2010

Chapter 67, Laws of 1999

56th Legislature
1999 Regular Session

HISTORIC CEMETERIES

EFFECTIVE DATE: 7/25/99

Passed by the House March 11, 1999
Yeas 96 Nays 0

CLYDE BALLARD
**Speaker of the House of
Representatives**

FRANK CHOPP
**Speaker of the House of
Representatives**

Passed by the Senate April 7, 1999
Yeas 48 Nays 0

BRAD OWEN
President of the Senate

Approved April 21, 1999

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2010** as passed by the House of Representatives and the Senate on the dates hereon set forth.

DEAN R. FOSTER
Chief Clerk

TIMOTHY A. MARTIN
Chief Clerk

FILED

April 21, 1999 - 3:15 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 2010

Passed Legislature - 1999 Regular Session

State of Washington

56th Legislature

1999 Regular Session

By Representatives Ogden, McMorris and Romero; by request of Department of Community, Trade, and Economic Development

Read first time 02/12/1999. Referred to Committee on State Government.

1 AN ACT Relating to historic cemeteries; and amending RCW 68.60.050.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 68.60.050 and 1989 c 44 s 5 are each amended to read
4 as follows:

5 (1) Any person who knowingly removes, mutilates, defaces, injures,
6 or destroys any historic grave shall be guilty of a class C felony
7 punishable under chapter 9A.20 RCW. Persons disturbing historic graves
8 through inadvertence, including disturbance through construction, shall
9 reinter the human remains under the supervision of the ((cemetery
10 board)) office of archaeology and historic preservation. Expenses to
11 reinter such human remains are to be provided by the office of
12 archaeology and historic preservation to the extent that funds for this
13 purpose are appropriated by the legislature.

14 (2) This section does not apply to actions taken in the performance
15 of official law enforcement duties.

16 (3) It shall be a complete defense in a prosecution under
17 subsection (1) of this section if the defendant can prove by a
18 preponderance of evidence that the alleged acts were accidental or
19 inadvertent and that reasonable efforts were made to preserve the

1 remains accidentally disturbed or discovered, and that the accidental
2 discovery or disturbance was properly reported.

Passed the House March 11, 1999.

Passed the Senate April 7, 1999.

Approved by the Governor April 21, 1999.

Filed in Office of Secretary of State April 21, 1999.